

Docket No. IA 1501.01A US  
USPN: 10/003,704

PATENT  
Art Unit: 2195

## **REMARKS**

Claims 1-18 are pending in the present application.

This Amendment is in response to the Final Office Action mailed 11/16/05. In the Office Action, the Examiner rejected claims 2-9 and 11-18 under 35 U.S.C. § 112, second paragraph, and claims 1-18 under 35 U.S.C. § 103.

Applicant has amended claims 1, 2, 10 and 11. Reconsideration in light of the amendments and remarks made herein is respectfully requested.

### **I. REJECTION UNDER 35 U.S.C. § 112**

The Examiner rejected claims 2-9 and 11-18 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicant has amended claims 2 and 11 to clarify the claimed subject matter. In particular as to claims 2 and 11, "a batch" (line 3) includes "batch data" (line 6).

Applicant respectfully requests the rejection under 35 U.S.C. §112 be withdrawn.

### **II. REJECTIONS UNDER 35 U.S.C. § 103**

The Examiner rejected claims 1-18 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,974,197 issued to Blount ("Blount"). Applicant respectfully traverses the rejections for the following reasons.

In the Office Action, the Examiner stated, "Blount teaches ... a serialization management system comprising a job control host for assigning serial numbers to storage media, and for generating a job; ... a serialization writer... Blount does not

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explicitly teach that replication facility host communicatively coupled to the job control host." Unlike the present invention, Blount, taken alone or in any combination, does not disclose suggest, or render obvious a job control host for updating a database in a server. This aspect of the invention is supported in the specification on page 5 (line 8 and line 20) and is recited in amended claims 1 and 10.

Therefore, Applicant believes that independent claims 1, 10 and their respective dependent claims are distinguishable over the cited prior art references. Accordingly, Applicant respectfully requests the rejections under 35 U.S.C. § 103(a) be withdrawn.

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### CONCLUSION


In view of the amendments and remarks made above, it is respectfully submitted that the pending claims are in condition for allowance, and such action is respectfully solicited. If it is believed that a telephone conversation would expedite the prosecution of the present application, or clarify matters with regard to its allowance, the Examiner is invited to contact the undersigned attorney at the number listed below.

The Commissioner is hereby authorized to charge payment of any required fees associated with this Communication or credit any overpayment to Deposit Account No. 04-1175.

Respectfully submitted,

DISCOVISION ASSOCIATES

Dated: January 13, 2006

  
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